

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF MENTAL HEALTH**



November 15, 2012

Our Reference: DMH/SEH/MG/pas
Your Reference: Criminal Case Number

Albrecht Muth (#927,405)
2011 CF1 15683; PDID#: 448-998

The Clerk
Criminal Division
Superior Court
of the District of Columbia
500 Indiana Avenue, NW, Room 4110
Washington, D.C. 20001

Dear Sir:

We wish to call to your attention the case of Albrecht Muth, who was admitted to Saint Elizabeths Hospital by Court order on February 15, 2012 under the provisions of Title 24, Section 531.03 of the D.C. Code for mental examination, with report due on or before March 13, 2012, with a charge of First Degree Murder pending.

Reference is made to our most recent letter to the Court dated September 6, 2012, in which the hospital opined Mr. Muth competent to stand trial and that hospitalization was no longer clinically recommended for maintenance of competency. We subsequently received notice that an updated competency evaluation was ordered which is due on or before November 19, 2012.

Recent Hospital Course

During the beginning of September 2012, Mr. Muth continued to fast consistently and was transferred to area hospitals including United Medical Center and Providence Hospital on numerous occasions for intravenous rehydration. Mr. Muth has consistently cited his religious convictions as the reason for continuing to fast beyond the initial forty day period, which began on July 31, 2012. More specifically, Mr. Muth has stated that the Archangel Gabriel continues to "visit" with him and to guide his spiritual journey and to alert him when the fasting period will be concluded. However, on September 10, 2012, Mr. Muth began occasionally drinking tea with warm milk and juice but would not consume chicken broth or solid foods. His treating psychiatrist, Carolina Klein, M.D., stated in a note on September 17, 2012 that Mr. Muth did not have decisional capacity to refuse meals or medical treatment. Mr. Muth was described as having an understanding of the long term consequences associated with fasting for prolonged periods of time (e.g., multi-organ

MUTH, Albrecht - The Clerk, Criminal Division, Special Proceedings
The Superior Court of the District of Columbia

failure, long term neurological damage, and death); however, Dr. Klein indicated that Mr. Muth was unable to appreciate such risks as it applied to his health as believed that "he was not of this earth or humankind." Stephanie Wilson, M.D., also evaluated Mr. Muth to determine decisional capacity and agreed that Mr. Muth did not have decisional capacity to continue to refuse fluids and food. The possibility of petitioning emergency guardianship was considered. On September 28, 2012, Mr. Muth resumed eating portions of his meals and on September 30, 2012, he made a request to have sandwiches brought for his meals.

In the month of October 2012, Mr. Muth has vacillated between eating one meal per day to periods where he does not eat or drink for several days. He has refused to have his vital signs or blood glucose levels taken. He was last transferred to United Medical Center for the administration of intravenous fluids on October 17, 2012.

In November, Mr. Muth has intermittently eaten one meal a day followed by days of fasting. When queried further, Mr. Muth reported that he is in the "penance phase" of his fast whereby he has been instructed by "Gabriel" to "fast and meditate" so that he can have the purification of his soul. More specifically, Mr. Muth has been more apt to state that he would like his life to end and that "God will make a decision...it's looking favorably to supplication [death]." Mr. Muth denied that he would take any other measures to end his life but that he prays daily for the ending of his life. Despite this report, however, Mr. Muth's records indicate that he ate dinner on both November 13 and 14, 2012 and made a request with the dietician to have sandwiches be provided for him as this is his preferred meal.

Despite his periods of fasting, Mr. Muth's mental status has remained stable over the last several months. On September 8, 2012, he indicated that he would refuse to take psychotropic medication as his diagnosis had changed from Delusional Disorder and he did not believe he needed it. Dr. Klein discontinued this medication because of the risk of adverse side effects due to his significant weight loss and his precarious nutritional status. Mr. Muth has not been observed responding to internal stimuli, does not demonstrate other symptoms of a psychotic illness, and his ideas about his professional status have remained largely unchanged.

Current Competency Evaluation

On November 14, 2012, Michele P. Godwin, Ph.D., Licensed Clinical Psychologist, evaluated Mr. Muth for competency to stand trial. Also present for this evaluation was Erik Hansen, Psy.D. Prior to this interview, Mr. Muth was informed that the information shared during the assessment would be communicated to the Court and was not confidential. He expressed an understanding and agreed to participate in the evaluation.

As stated in previous letters to the Court, Mr. Muth continues to demonstrate an understanding of legally relevant information as evidenced by his exemplary knowledge of the court process that has contributed to his factual competence. Additionally, the current evaluation regarding his rational understanding of the court process remains relatively similar to what was reported in the September 4, 2012 letter to the Court. Mr. Muth is able to weigh and evaluate various legal options and the consequences for these decisions, including whether it is in his best interest to work with his attorneys to aid in a viable defense strategy. Mr. Muth's difficulty working with his current attorneys appears to be

MUTH, Albrecht - The Clerk, Criminal Division, Special Proceedings
The Superior Court of the District of Columbia

under volitional control rather than as a result of a psychotic process. If Mr. Muth decided to work with his attorney, it is believed that he could do so.

Therefore, based on his having a factual and rational understanding of the Court proceedings against him as well as possessing a sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding, it is opined that Mr. Muth remains competent to stand trial.

Mr. Muth is currently diagnosed with Factitious Disorder Not Otherwise Specified (NOS), Personality Disorder NOS with Narcissistic, Antisocial, and Schizotypal Personality Traits, and Alcohol Abuse. He is not currently prescribed psychotropic medication. It is not recommended that Mr. Muth remain at St. Elizabeths Hospital for maintenance of competency. He no longer attends competency restoration groups, has maintained a factual understanding of court related material, and monitoring of his physical health could occur in another setting.

Sincerely,

Patrick J. Canavan, Psy.D.
Chief Executive Officer
Saint Elizabeths Hospital

By:



KyleeAnn Stevens, M.D.
Director of Forensic Services

C:
United States Attorney's Office
Judiciary Center
555 4th Street, N.W., Room 10-451
Washington, D.C. 20530

Michele May, LICSW
Forensic Services Coordinator
609 H Street, N.E. - 5TH Floor
Washington, DC 20002

Bruce Reid, LICSW
Mental Health Director - UHC - DOC
DOC Health Center, D.C. Jail
1901 D Street, SE
Washington, DC 20003

Dana D. Page, Esquire
Public Defender Service
633 Indiana Avenue, N.W.
Washington, D.C. 20004